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Attorneys for Defendant and
Third-Party Plaintiff, Bank of Hawaii

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

LAW OFFICE OF

DOUGLAS F. CUSHNIE,
a sole proprietorship, and
DOUGLAS F. CUSHNIE,
individually,

Plaintiffs,

vs.

BANK OF HAWAII, and
MARY ROE and JOHN DOE,

Defendants.

BANK OF HAWAII,

Third-Party Plaintiff,

vs.

LUCY M. DL GUERRERO,

Third-Party Defendant.

CIVIL ACTION NO. 07-0020

MOTION OF DEFENDANT AND THIRD
PARTY PLAINTIFF BANK OF HAWAII
FOR DEFAULT JUDGMENT AGAINST
THIRD PARTY DEFENDANT LUCY M.
DL GUERRERO

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1 Comes now the Defendant and Third Party Plaintiff Bank of Hawaii and moves this court
2 for judgment by default against Third Party Defendant Lucy M. DL Guerrero. In support of said
3 Motion Defendant and Third Party Plaintiff shows as follows:

- 4 1. A Third Party Complaint was filed against Lucy M. DL Guerrero on October 25, 2007.
- 5 2. A copy of the Summons and Third Party Complaint were personally served on the Third
6 Party Defendant on November 3, 2007; a copy of the Return of Service is attached hereto
7 marked as Exhibit A and included herein by reference.
- 8 3. No answer or other defense has been filed by the Third Party Defendant and the time to
9 file an answer or otherwise respond has expired.
- 10 4. Default was entered by the Clerk of Court on March 13, 2008. A copy of the Entry of
11 Default is attached hereto marked as Exhibit B and incorporated herein by reference.

12 WHEREFORE Defendant and Third Party Plaintiff Bank of Hawaii moves this Court to
13 make and enter judgment against Third Party Defendant Lucy M. DL Guerrero for all sums
14 which may be adjudged against Bank of Hawaii in favor of Plaintiff Douglas F. Cushnie,
15 individually and as sole proprietorship in this matter.

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19 CARLSMITH BALL LLP

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21 DATED: Saipan, MP, March 20, 2008.

/s/ John D. Osborn
JOHN D. OSBORN
Attorneys for Defendant and
Third Party Plaintiff, Bank of Hawaii